

AIR POLLUTION CONTROL PERMIT TO CONSTRUCT

Permittee: Name: Minnkota Power Cooperative, Inc. Address: 5301 32 nd Ave S Grand Forks, North Dakota 58201	Permit Number: ACP-18230 v1.0
Source Name & Location: Colfax 6495 170 Ave SE Colfax, North Dakota 58018 Richland County	Permit Description: Synthetic Minor
Date of Application:	Source Type: Electric Generating Unit; Peaking
April 4, 2024	

Pursuant to Chapter 23.1-06 of the North Dakota Century Code (NDCC), and the Air Pollution Control Rules of the State of North Dakota (Article 33.1-15 of the North Dakota Administrative Code or NDAC), and in reliance on statements and representations heretofore made by the permittee (i.e., owner) designated above, a Permit to Construct is hereby issued authorizing such permittee to construct and initially operate the source unit(s) at the location designated above. This Permit to Construct is subject to all applicable rules and orders now or hereafter in effect of the North Dakota Department of Environmental Quality (Department) and to any conditions specified below:

 James L. Semerad
 Director
 Division of Air Quality

Date: _____

1. Project and Facility Emissions Units:

This Permit to Construct allows the construction and initial operation of the herein-mentioned new or modified equipment at the source. The source may be operated under this Permit to Construct until a Permit to Operate is issued unless this permit is suspended or revoked. The source is subject to all applicable rules, regulations, and orders now or hereafter in effect of the North Dakota Department of Environmental Quality and to the conditions specified herein.

Table 1-1 lists the permitted equipment associated with Colfax.

Table 1-1: Facility Emissions Units

Emission Unit Description ^A	Emission Unit (EU)	Emission Point (EP)	Air Pollution Control Equipment
Two Caterpillar Model 3516B diesel engine-driven generator sets each rated at 2,881 bhp manufactured in 2001 (MACT ZZZZ)	1 & 2	1 & 2	Diesel Oxidation Catalyst

^A All emission unit ratings are considered nominal ratings.

2. Applicable Standards, Restrictions and Miscellaneous Conditions:

A. National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Source Categories/Maximum Achievable Control Technology (MACT):

The permittee shall comply with all applicable requirements of the following MACT subparts, in addition to Subpart A, as referenced in Chapter 33.1-15-22 of the North Dakota Air Pollution Control Rules and 40 CFR 63.

- 1) 40 CFR 63, Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (EUs 1 & 2). The North Dakota Department of Environmental Quality has not adopted the area source provisions of this subpart. Please send all documentation to EPA at the following address:

U.S. EPA Region 8
 1595 Wynkoop Street
 Mail Code 8ENF-AT
 Denver, CO 80202-1129

B. Fuel Restrictions:

The engines (EUs 1 & 2) are restricted to combusting only distillate oil containing no more than 0.0015 percent sulfur by weight.

C. Operational Restrictions:

Total combined operating hours of all units at the facility may not exceed 4,960 hours in any 12-month period (12-month rolling total).

D. Miscellaneous Condition:

Upon completion of construction and the Department's receipt of the notice of initial start-up required by Condition 6.B, the Department will terminate the Oxbow Plant Air Permit to Operate No. AOP-27859 v5.0 (O03008).

3. Emission Unit Limits:

Emission limits from the operation of the source unit(s) identified in Table 1-1 of this Permit to Construct (hereafter referred to as "permit") are as follows. Source units not listed are subject to the applicable emission limits specified in the North Dakota Air Pollution Control Rules.

Table 3-1: Permit Emissions Limits

Emission Unit Description	Emission Unit (EU)	Emission Point (EP)	Pollutant / Parameter	Emission Limit
Diesel engine-driven generator sets	1 & 2	1 & 2	Opacity	20% ^A

^A 40% opacity is permissible for not more than one six-minute period per hour.

4. Emission Testing Requirements:

A. Sampling and Testing:

The Department may require the permittee to conduct tests to determine the emission rate of air contaminants from the source. The Department may observe the testing and may specify testing methods to be used. A signed copy of the test results shall be furnished to the Department within 60 days of the test date. The basis for this condition is NDAC 33.1-15-01-12 which is hereby incorporated into this permit by reference. To facilitate preparing for and conducting such tests, and to facilitate reporting the test results to the Department, the permittee shall follow the procedures and formats in the Department's Emission Testing Guideline.

5. General Conditions (Equipment):

A. Best Management Practices:

At all times, including periods of startup, shutdown, and malfunction, the permittee shall, to the extent practicable, maintain and operate any affected facility including associated air pollution

control equipment in a manner consistent with good air pollution control practice for minimizing emissions.

B. Operation of Air Pollution Control Equipment:

The permittee shall maintain and operate all air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions.

C. Stack Heights:

Emissions shall be vented through stacks that meet the following height requirements. Stack heights may be no less than those listed in the table below without prior approval from the Department.

Emission Unit (EU)	Emission Point (EP)	Minimum Stack Height (Feet)
1 & 2	1 & 2	12

D. Like-Kind Engine Replacement:

This permit allows the permittee to replace an existing engine with a like-kind unit. Replacement is subject to the following conditions:

- 1) The Department must be notified within 10 days after change-out of the unit.
- 2) The replacement unit shall operate in the same manner, provide no increase in throughput and have equal or less emissions than the unit it is replacing.
- 3) The date of manufacture of the replacement unit must be included in the notification. The facility must comply with any applicable federal standards (e.g. NSPS, MACT) triggered by the replacement.
- 4) The replacement unit is subject to the same state emission limits as the existing unit in addition to any NSPS or MACT emission limit that is applicable. Testing shall be conducted to confirm compliance with the emission limits within 180 days after start-up of the unit.

E. Organic Compound Emissions:

The permittee shall comply with all applicable requirements of NDAC 33.1-15-07 – Control of Organic Compounds Emissions.

F. Air Pollution from Internal Combustion Engines:

The permittee shall comply with all applicable requirements of NDAC 33.1-15-08-01 – Internal Combustion Engine Emissions Restricted.

G. Fugitive Emissions:

The release of fugitive emissions shall comply with the applicable requirements in NDAC 33.1-15-17.

6. General Conditions (Procedural):

A. Construction:

Construction of the above-described facility shall be in accordance with information provided in the permit application as well as any plans, specifications and supporting data submitted to the Department. The Department shall be notified 10 days in advance of any significant deviations from the specifications furnished. The issuance of this Permit to Construct may be suspended or revoked if the Department determines that a significant deviation from the plans and specifications furnished has been or is to be made.

Any violation of a condition issued as part of this permit to construct as well as any construction which proceeds in variance with any information submitted in the application, is regarded as a violation of construction authority and is subject to enforcement action.

B. Startup Notice:

A notification of the actual date of initial startup shall be submitted to the Department within 15 days after the date of initial startup.

C. Permit Invalidation:

This permit shall become invalid if construction is not commenced within 18 months after issuance of such permit, if construction is discontinued for a period of 18 months or more; or if construction is not completed within a reasonable time.

D. Source Operations:

Operations at the installation shall be in accordance with statements, representations, procedures and supporting data contained in the initial application, and any supplemental information or application(s) submitted thereafter. Any operations not listed in this permit are subject to all applicable North Dakota Air Pollution Control Rules.

E. Alterations, Modifications, or Changes:

Any alteration, repairing, expansion, or change in the method of operation of the source which results in the emission of an additional type or greater amount of air contaminants or which results in an increase in the ambient concentration of any air contaminant, must be reviewed and approved by the Department prior to the start of such alteration, repairing, expansion or change in the method of operation.

F. Recordkeeping:

The permittee shall maintain any compliance monitoring records required by this permit or applicable requirements. The permittee shall retain records of all required monitoring data and support information for a period of at least five years from the date of the monitoring sample, measurement, report or application. Support information may include all calibration and maintenance records and all original strip-chart recordings/computer printouts for continuous monitoring instrumentation, and copies of all reports required by the permit.

G. Annual Emission Inventory/Annual Production Reports:

The permittee shall submit an annual emission inventory report and/or an annual production report upon Department request, on forms supplied or approved by the Department.

H. Malfunction notification:

The permittee shall notify the Department of any malfunction which can be expected to last longer than twenty-four hours and can cause the emission of air contaminants in violation of applicable rules and regulations.

I. Nuisance or Danger:

This permit shall in no way authorize the maintenance of a nuisance or a danger to public health or safety.

J. Transfer of Permit to Construct:

The holder of a permit to construct may not transfer such permit without prior approval from the Department.

K. Right of Entry:

Any duly authorized officer, employee or agent of the North Dakota Department of Environmental Quality may enter and inspect any property, premise or place at which the source listed in Condition 1 of this permit is located at any time for the purpose of ascertaining the state of compliance with the North Dakota Air Pollution Control Rules. The Department may conduct tests and take samples of air contaminants, fuel, processing material, and other materials which affect or may affect emissions of air contaminants from any source. The Department shall have the right to access and copy any records required by the Department's rules and to inspect monitoring equipment located on the premises.

L. Other Regulations:

The permittee of the source unit(s) described in Condition 1 of this permit shall comply with all State and Federal environmental laws and rules. In addition, the permittee shall comply with all local burning, fire, zoning, and other applicable ordinances, codes, rules and regulations.

M. Permit Issuance:

This permit is issued in reliance upon the accuracy and completeness of the information set forth in the application. Notwithstanding the tentative nature of this information, the conditions of this permit herein become, upon the effective date of this permit, enforceable by the Department pursuant to any remedies it now has, or may in the future have, under the North Dakota Air Pollution Control Law, NDCC Chapter 23.1-06.

7. State Enforceable Only Conditions (not Federally enforceable)

A. Odor Restrictions:

The permittee shall not discharge into the ambient air any objectionable odorous air contaminant which is in excess of the limits established in NDAC 33.1-15-16.

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